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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1643
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE
RUEHPB/AMEMBASSY PORT MORESBY IMMEDIATE 3248
RHHJJPI/USPACOM HONOLULU HI IMMEDIATE
RHEHNSC/NSC WASHDC IMMEDIATE
RUEAWJB/DEPT OF JUSTICE WASHDC IMMEDIATE
RHMCSUU/FBI WASHINGTON DC IMMEDIATE

UNCLAS JAKARTA 012874

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SENSITIVE
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FBI FOR CTD/ITOS I, CTD/ITOS II, GOU
STATE FOR EAP/MTS, DS/DSS, DS/IP/DSS, DS/IP/EAP,
DS/EAP/ITA, AND CA/OCS/ACS

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [ASEC](#) [CASC](#) [KJUS](#) [PHUM](#) [ID](#)

SUBJECT: TIMIKA DEFENDANTS REFUSE TO RESPOND TO SENTENCING
REQUEST

REF: JAKARTA 12544 (PROSECUTORS DELIVER SENTENCING

REQUEST)

11. (SBU) In an October 31 session lasting less than an hour, the defendants charged in the 2002 murders of two Amcits near Timika, Papua refused to respond to the sentencing requests handed down by prosecutors on October 13 (reftel). Their attorney, Johnson Penjaitan, attended the trial as a spectator and did not speak on their behalf. Normally, the defense should have delivered its closing arguments at this stage. Refusing to take his place at the defense table, defendant Anthonious Wamang repeated his complaints to the judge about security in the detention facility and medical treatment for co-defendant Hardi Sugimol. Prosecutors responded that they would address the security concerns and seek treatment for Sugimol in the police hospital. Wamang refused the latter proposal, saying that Sugimol must be released to his family in Papua for treatment using traditional methods. Wamang said that he and the other defendants would refuse to cooperate with the court until his demands were met.

12. (SBU) The judge then adjourned the case until Tuesday, November 7. She said that given the defendants' refusal to cooperate, she would hand down the verdict at that time.

13. (SBU) About 60 Papuan protestors packed the courtroom and attempted to disrupt the proceedings by yelling slogans against the U.S., the PT Freeport Indonesia mining company, and the Indonesian justice system. At one point the police were on the verge of arresting three ringleaders, but then backed down, apparently fearing that this would provoke the crowd into outright violence.

14. (SBU) Comment: The defendants and their attorneys have systematically refused to cooperate throughout the trial, presumably in an attempt to build a later claim that they were treated unfairly. The judge has shown consistent patience with their obstructionist tactics and has given them every opportunity to present their case. End Comment
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